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Presentment Date: July 7, 2017
Presentment Time: 12:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
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In re:

ATM MIRROR INC.,

Chapter 11
Case No. 16-23276 (RDD)

Debtor.
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**DEBTOR'S APPLICATION SEEKING AN ORDER EXTENDING
THE DEBTOR'S TIME TO FILE AND CONFIRM ITS SMALL
BUSINESS PLAN AND DISCLOSURE STATEMENT
PURSUANT TO 11 U.S.C. §§ 1121(e)(2), (3) and 1129(e)**

**TO: HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE**

ATM Mirror, Inc., the debtor and debtor-in-possession in the above captioned proceeding (the "Debtor"), by its counsel, DelBello Donnellan Weingarten Wise & Wiederkehr LLP, hereby submits this motion (the "Motion") pursuant to §§ 105(a), 1121(e)(3) and 1129(e) of Title 11, United States Code, 11 U.S.C. § 101, et seq. (the "Bankruptcy Code") for the entry of a proposed Order (the "Proposed Order") annexed hereto as **Exhibit "A"** extending the Debtor's time to file its small business plan and disclosure statement through October 16, 2017, and extending its time to confirm same through December 1, 2017.

Jurisdiction and Venue

1. The Court has jurisdiction over this proceeding to 28 U.S.C. § 157 and 1334. Venue is proper pursuant to 28 U.S.C. § 1408 and 1409.

2. This proceeding has been initiated pursuant to Bankruptcy Code §§ 105(a), 1121(e)(3) and 1129(e).

Background

3. On September 21, 2016, (the “Petition Date”), the Debtor filed a voluntary petition for reorganization.

4. The Debtor has continued in possession of its property and the management of its business affairs as a Debtor-in-Possession pursuant to § 1107 and 1108 of the Bankruptcy Code. No Official Committee of Unsecured Creditors, trustee, or examiner has been appointed.

5. The Debtor is a glass manufacturing and installation company, installing projects from residential frameless shower doors to commercial architectural glass such as balconies. The Debtor’s offices are located at 3113 Buchanan Albany Post Road New York, and its work shop is located at 3115 Buchanan Albany Post Road New York.

6. The Debtor is a “small business debtor” as defined in Code §101(51D). As such, the Debtor is required to file a small business plan (the “Plan”) and disclosure statement (“Disclosure Statement”) not later than 300 days after the Petition Date pursuant to Code §1121(e)(2), and to confirm same not later than 45 days thereafter pursuant to Code §1129(e).

7. Thus, the Debtor’s deadline to file a Plan and Disclosure Statement is currently July 18, 2017 and the deadline to confirm same is currently September 1, 2017. The Debtor seeks a short extension of those deadlines to November 16, 2017 and January 2, 2018, respectively.

8. The reason for the request is because the Debtor is actively working to resolve certain disputed claims.

9. Pursuant to an Order of the Bankruptcy Court entered on December 22, 2016, January 30, 2017 (the “Bar Date”) was established as the last date by which creditors may file proofs of claim in

the Chapter 11 case. Although the Bar Date has passed, the Debtor has two pending objections to claims before the Court (current return date July 14, 2017). Additionally, the Debtor intends to commence adversary proceedings against two alleged secured creditors to determine the amounts (if any) and classification of those claims. The Debtor is unable to file a Plan until these claim issues are resolved. The outcome of these claims disputes will, in turn, determine the parameters of the Debtor's Plan and Disclosure Statement.

10. The Debtor has diligently prosecuted this Chapter 11 case, filed operating reports and remained current in its post-petition obligations. The Debtor will continue to comply with its monthly reporting obligations and has sufficient funds on hand to pay all U.S. Trustee Fees.

11. The Debtor's operations are going well. The Debtor has a seasonal element to its business, with the warm months generating more business. The Debtor reported a profit of \$2,705.54 in March 2017, a profit of \$13,838.71 in April 2017, and a loss of \$9,513.01 in May 2017. However, the cash flow loss is actually a positive development because it is based upon large materials purchases made by the Debtor in connection with significant new jobs that the Debtor anticipates will be very profitable.

12. The Debtor asserts it has shown by a preponderance of the evidence that it is likely that it will confirm its Plan within a reasonable amount of time, and therefore requests an extension of time to file its plan and disclosure statement to November 16, 2017 and to confirm same to January 2, 2018.

Relief Requested and Basis Therefore

13. Pursuant to Bankruptcy Code §1121(e)(2), the plan and a disclosure statement shall be filed no later than 300 days after the Petition date. Pursuant to Bankruptcy Code §1129(e), the plan shall be confirmed within 45 days after the date it is filed.

14. Those deadlines may be extended pursuant to Bankruptcy Code §1121(e)(3) if (A) the debtor, after providing notice to parties in interest, demonstrates by a preponderance of the evidence that it is more likely than not that the court will confirm a plan within a reasonable amount of time; (B) a new deadline is imposed at the time the extension is granted; and (C) the order extending time is signed before the existing deadline has expired.

15. The Debtor submits that sufficient evidence exists that it is more likely than not that the Debtor will confirm a plan within a reasonable period of time.

16. This request for an extension of time is being sought, and the proposed order is noticed to be signed, before the deadline expires.

17. The Application is being served upon (i) the Office of the United States Trustee, (ii) all creditors; and (iii) all parties filing Notices of Appearance. The Debtor submits that such service is good and sufficient notice, as required by the Bankruptcy Rules.

18. No previous application for the relief requested herein has been made to this or any other Court.

19. For the foregoing reasons, the Debtor respectfully requests that the Court enter the Proposed Order and grant such other relief as the Court deems just.

Dated: White Plains, New York
June 21, 2017

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By: /s/ Dawn Kirby
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